

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

JUDGMENT ORDER

For the reasons set forth in the memorandum opinion filed herewith:

1. Plaintiff's motion for leave to proceed *in forma pauperis* [Doc. 4] is **GRANTED**;
 2. Plaintiff is **ASSESSED** the civil filing fee of \$350.00;
 3. The custodian of Plaintiff's inmate trust account is **DIRECTED** to submit the filing fee to the Clerk in the manner set forth above;
 4. The Clerk is **DIRECTED** to mail a copy of this memorandum opinion and this order to the custodian of inmate accounts at the institution where Plaintiff is now confined and to furnish a copy of this order to the Court's financial deputy;
 5. Even liberally construing the complaint in favor of Plaintiff, it fails to state a claim upon which relief may be granted under § 1983;
 6. Accordingly, this action is **DISMISSED** pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915(A);
 7. Because the Court **CERTIFIED** in the memorandum opinion that any appeal from this order would not be taken in good faith, should Plaintiff file a notice of appeal, he is **DENIED** leave to appeal *in forma pauperis*. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24; and

8. The Clerk is **DIRECTED** to close the file.

IT IS SO ORDERED.

ENTER:

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT

s/ John L. Medearis
CLERK OF COURT